

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Terry Edward McCall,)	
)	
Plaintiff,)	
)	C/A No.: 2:15-cv-01011-TLW-MGB
vs.)	
)	
David E. McAlhaney and)	ORDER
Sarah Drawdy,)	
)	
Defendants.)	
_____)	

Plaintiff Terry Edward McCall, a state prisoner proceeding *pro se* and *in forma pauperis*, filed this action on March 2, 2015, pursuant to 42 U.S.C. § 1983. ECF No. 1. This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed on July 24, 2017, by United States Magistrate Judge Mary Gordon Baker, ECF No. 137, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(e), (D.S.C.). In the Report, the Magistrate Judge recommends that the Court grant Defendant’s Motion for Summary Judgment. ECF No. 137. The deadline to file objections was August 30, 2017. However, Plaintiff failed to file objections to the Report. This matter is now ripe for disposition.

The Court is charged with conducting a *de novo* review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge’s recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, “a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v.*

Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note). However, the Court did conduct a de novo review and concludes the Report should be accepted.

In light of this standard, the Court has carefully reviewed the Report, the relevant filings, and the applicable law. After careful consideration, the Court accepts the detailed legal analysis by the Magistrate Judge and notes that Plaintiff has not filed objections. Accordingly, the Court hereby **ACCEPTS** the Report, ECF No. 137. For the reasons stated in the Report, the Motion for Summary Judgment, ECF No. 113, is **GRANTED** and Defendant McAlhaney is hereby **DISMISSED**. Additionally, as stated in the Report, Defendant Drawdy is **DISMISSED** based on the Plaintiff's failure to affect service.

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

September 8, 2017
Columbia, South Carolina